



## LOUISIANA GAMING CONTROL BOARD

The following is organized by Part:

Part III Gaming Control Board  
Part VII Pari-Mutuel Live Racing Facility  
Slot Machine Gaming (Slots at the Track)  
Part IX Landbased Casino Gaming  
Part XI Video Poker  
Part XIII Riverboat Gaming

### **REGULATIONS: ADOPTION, AMENDMENT, OR REPEAL**

Please Note: This page contains only the amended section of a regulation. To view the entire regulation, please go to the applicable Regulation page which can be accessed from our [main page](#). The Notice of Intent for adoption, amendment, or repeal of any regulation and the adopted regulation change are published in the [Louisiana Register](#) in accordance with La. R.S. 49:950 et seq. The official wording of all changes should be verified by accessing the [Louisiana Register](#). The regulations are part of the Louisiana Administrative Code (L.A.C.).

**Proposed Regulation Changes**

**And**

**Regulations Not Yet Published**

## **Part III. Gaming Control Board**

### **Chapter 1. General Provisions**

#### **§110. Quarterly Submissions**

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B. The licensee will certify quarterly under oath that a good faith effort to meet the voluntary procurement and employment conditions is being made, and shall quarterly demonstrate to the board that an effort was made to meet the conditions. The quarterly statement shall be forwarded to the board no later than 20 days after the end of each quarter.

C. Each licensee authorized to conduct slot machine gaming at an eligible facility pursuant to the provisions of Chapter 7 of the Louisiana Gaming Control Law shall submit to the board on a quarterly basis a statement of compliance with the provisions of R.S. 27:363 (C) and shall certify under oath that a good faith effort to comply with the provisions of R.S. 27:363 (C) is being made. The quarterly statement shall be forwarded to the board no later than 20 days after the end of each quarter.

\* \* \*

AUTHORITY NOTE: Promulgated in accordance with R.S. 27:1 et seq.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Gaming Control Board, LR 23:304 (March 1997), amended LR

*Instituted 1/20/04*

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## **Part VII. Pari-Mutuel Live Racing Facility Slot Machine Gaming**

### **Chapter 29. Operating Standards**

#### **§2953. Promotions**

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E. Any promotional program involving a giveaway of prizes or drawing for cash or prizes shall incorporate the following elements.

1. Only persons 21 years of age and older shall be eligible to participate.

2. Entry forms required in drawings open to the general public shall be displayed in a prominent manner inside the casino.
3. No payment or purchase of anything of value, including chips or tokens from the casino or any other business, shall be required for participation in any giveaway or drawing, nor shall there be a requirement to pay an entry fee.

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AUTHORITY NOTE: Promulgated in accordance with R.S. 27:15 and 24.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Gaming Control Board, LR 26:768 (April 2000), amended LR 27:1555 (September 2001), amended LR

***Instituted 7/15/03***

***Adopted 12/16/03***

***Effective 1/20/04***

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## **§2901. Code of Conduct of Licensees and Permittees (Amend)**

\* \* \*

B (4) Any person required to be found suitable or approved in connection with the granting of any license or permit shall have a continuing duty to notify the division of his/her/its arrest, summons, citation or charge for any criminal offense or violation including D.W.I.; however, minor traffic violations need not be included. All licensees and permittees shall have a continuing duty to notify the division of any fact, event, occurrence, matter or action that may affect the conduct of gaming or the business and financial arrangements incidental thereto or the ability to conduct the activities for which the licensee or permittee is licensed or permitted. Such notification shall be made within fifteen calendar days of the arrest, summons, citation, charge, fact, event, occurrence, matter or action.

AUTHORITY NOTE: Promulgated in accordance with R.S. 27:15 and 24.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Gaming Control Board, LR 26:763 (April 2000), amended LR 27:58 (January 2001), amended LR 29:

***Instituted 5/19/03***

***Adopted 10/21/03***

***Effective 11/20/03***

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## **§2915. Age Restrictions for the Casino; Methods to Prevent Minors from Gaming Area (Amend)**

A. No persons under the age of 21 shall:

1. play or be allowed to play any game or gaming device in the designated gaming area;
2. loiter or be permitted to loiter in or about any room, premises, or designated area where any game or gaming device is located;

3. be employed as a gaming employee.

B. The Type A licensee must implement methods to prevent minors from entering the designated gaming area of the eligible facility. Such methods shall be part of the licensee's system of internal controls and shall include, but shall not be limited to the following:

1. posting signs at all entrances to the gaming area notifying patrons that persons under 21 years of age are not permitted to loiter in or about the gaming area. The signs shall be displayed in English, Spanish, and Vietnamese;

2. posting signs or other approved means displaying the date of birth of a person who is 21 years old that date.

C. Type A Licensees shall each quarter report and remit to the division all winnings withheld from customers who are determined to be under the age of 21.

D. The Type A license of any person issued pursuant to the provisions of the act, who is found by the board to have intentionally allowed a person under the age of 21 to play or operate a slot machine, shall be revoked.

AUTHORITY NOTE: Promulgated in accordance with R.S. 27:15 and 24.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Gaming Control Board, LR 26:764 (April 2000), amended LR 29:

*Instituted 5/19/03*  
*Adopted 10/21/03*  
*Effective 11/20/03*

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## **Chapter 42. Racetracks: Electronic Gaming Devices**

### **§4209. Approval of New Electronic Gaming Devices (Amend)**

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A ( 2)Accounting Meters

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iv. The required electronic meters are as follows.

\* \* \*

(b) The coin-out meter shall cumulatively count the number of coins that are paid as a result of a win, or credits that are won, or both.

\* \* \*

vi. EGDs shall have meters which continuously display the following information relating to the current play or monetary transaction:

...

(c) the number of coins paid for a credit cash out or a direct pay from a winning outcome;

\* \* \*

o. Hopper

i. If a hopper is utilized on an EGD it shall be designed to detect the following and force the EGD into a tilt condition if one of the following occurs:

- (a). jammed coins;
- (b). extra coins paid out;
- (c). hopper runaways;
- (d). hopper empty conditions.

ii. The EGD control program shall monitor the hopper mechanism, if utilized, for these error conditions in all game states in accordance with this LAC 42:XIII. Chapter 42.

iii. All coins paid from the hopper mechanism, if utilized, shall be accounted for by the EGD including those paid as extra coins during hopper malfunction.

\* \* \*

AUTHORITY NOTE: Promulgated in accordance with R.S. 27:15 and 24.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Gaming Control Board, LR 26:721 (April 2000), amended LR 29:

***Instituted 5/19/03***

***Adopted 10/21/03***

***Effective 11/20/03***

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## **Chapter 17. General Provisions**

### **§1701. Definitions (Amend)**

A. As used in the regulations, the following terms have the meaning described below:

\* \* \*

Affiliate – any person who directly or indirectly controls, is controlled by, or is under common control of another person.

\* \* \*

Person – any individual, partnership, association, joint stock association, trust, corporation, or other business entity whether incorporated or not.

\* \* \*

AUTHORITY NOTE: Promulgated in accordance with R.S. 27:15 and 24.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Gaming Control Board, LR 26:728 (April 2000), LR

***Instituted 10/15/02***

***Adopted 2/16/03***

***Effective 3/20/03***

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## **Chapter 21. Licenses and Permits**

## **§2101. General Authority of the Board and Division (Amend)**

The board and/or the division shall have the authority to call forth any person who, in the board and/or division's opinion, has the ability to exercise influence over a licensee, permittee, applicant or the gaming industry, and such person shall be subject to all suitability requirements. In the event a person is found unsuitable, then no licensee, permittee or applicant shall have any association or connection with such person. No licensee, permittee or applicant shall have any association or connection with any person that has had an application for a license or permit denied or had a license or permit revoked.

AUTHORITY NOTE: Promulgated in accordance with R.S. 27:15 and 24.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Gaming Control Board, LR 26:732 (April 2000), LR

*Instituted 10/15/02*

*Adopted 2/16/03*

*Effective 3/20/03*

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## **Chapter 23. Compliance, Inspections, and Investigations**

### **§2325. Imposition of Sanctions (Amend)**

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#### **E. Penalty Schedule**

<b>Section Reference</b>	<b>Description</b>	<b>Base Fine</b>	<b>Proscriptive Period (Months)</b>
*	*	*	*
4209	Approval of New Electronic Gaming Devices	5,000	12
*	*	*	*

\* \* \*

Authority Note: Promulgated in accordance with R.S. 27:15 and 24.

Historical Note: Promulgated by the Department of Public Safety and Corrections, Gaming Control Board, LR 27:1321 (June 2000), amended LR 27:225 (December 2001), LR 28:1028 (May 2002), LRPart IX. Landbased Casino Gaming

*Instituted 10/15/02*

*Adopted 2/16/03*

*Effective 3/20/03*

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## **Part IX. Landbased Casino Gaming**

## Chapter 29. Operating Standards Generally

### §2922. Promotions

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E. Any promotional program involving a giveaway of prizes or drawing for cash or prizes shall incorporate the following elements:

1. only persons 21 years of age and older shall be eligible to participate;
2. entry forms required in drawings open to the general public shall be displayed in a prominent manner inside the Casino;
3. no payment or purchase of anything of value, including chips or tokens from the Casino or any other business, shall be required for participation in any giveaway or drawing, nor shall there be a requirement to pay an entry fee.

\* \* \*

AUTHORITY NOTE: Promulgated in accordance with R.S. 27:15 and R.S. 27:24.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Gaming Control Board, LR 26:335 (February 2000), amended LR 27:1557 (September 2001), amended LR

*Instituted 7/15/03*  
*Adopted 12/16/03*  
*Effective 1/20/04*

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### §2901. Code of Conduct of the Casino Operator, Casino Manager, Licensees and Permittees (Amend)

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B. Unsuitable Conduct

\* \* \*

4. Any person required to be found suitable or approved in connection with the granting of the casino operating contract or any permit shall have a continuing duty to notify the division of his/her/its arrest, summons, citation or charge for any criminal offense or violation including D.W.I.; however, minor traffic violations need not be included. The casino operator, casino manger and any permittee shall have a continuing duty to notify the division of any fact, event, occurrence, matter or action that may affect the conduct of gaming or the business and financial arrangements incidental thereto or the ability to conduct the activities for which the casino operator, casino manager or permittee is approved or permitted. Such notification shall be made within 15 calendar days of the arrest, summons, citation, charge, fact, event, occurrence, matter or action.

\* \* \*

AUTHORITY NOTE: Promulgated in accordance with R.S. 27:15 and R.S. 27:24.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Gaming Control Board, LR 25:1950 (October 1999), amended LR 27:59 (January 2001), amended LR 29:

*Instituted 5/19/03  
Adopted 10/21/03  
Effective 11/20/03*

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**§2935. Age Restrictions for the Casino; Methods to Prevent Minors from Gaming Area (Amend)**

\* \* \*

B. The casino operator shall draft and implement policies and procedures designed to satisfy the requirements of this Section, including policies and procedures pertaining to documentation relating to proof of age and the examination of such document by a responsible casino employee or employees of security service providers and to provide suitable security to enforce the policies and procedures. These methods shall be in writing and include, but shall not be limited to:

1. posting signs at all entrances to the gaming area notifying patrons that persons under 21 years of age are not permitted to loiter in or about the gaming area. The signs shall be displayed in English, Spanish, and Vietnamese;
2. posting signs or other approved means displaying the date of birth of a person who is 21 years old that date.

C. The casino operator shall provide copies of all methods implemented in accordance with this Rule to the division and the board. The methods implemented by the casino operator are subject to the approval by the board.

D. The casino operator shall each quarter report and remit to the division all winnings withheld from customers who are determined to be under the age of 21.

AUTHORITY NOTE: Promulgated in accordance with R.S.27:15 and R.S. 27:24.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Gaming Control Board, LR 25:1954 (October 1999), amended LR 29:

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**Chapter 41. Enforcement Actions**

**§4103. Enforcement Actions of the Board (Amend)**

\* \* \*

C. Penalty Schedule

Section Reference	Description	Base Fine	Proscriptive Period (Months)



*	*	*	*
<b>2935</b>	<b>Age Restrictions for the Casino</b>	<b>\$10,000</b>	<b>12</b>
*	*	*	*

\* \* \*

AUTHORITY NOTE: Promulgated in accordance with R.S.27:15 and R.S. 27:24.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Gaming Control Board, LR 25:1974 (October 1999), amended LR 26:2307 (October 2000), LR 27:2255 (December 2001), repromulgated LR 28:344 (February 2002), amended LR 28:1029 (May 2002), LR 29:

***Instituted 5/19/03***

***Adopted 10/21/03***

***Effective 11/20/03***

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## Chapter 42. Electronic Gaming Devices

### §4209. Approval of New Electronic Gaming Devices (Amend)

\* \* \*

A (2)

\* \* \*

#### l. Accounting Meters

\* \* \*

iv. The required electronic meters are as follows.

\* \* \*

(b). The coin-out meter shall cumulatively count the number of coins that are paid as a result of a win, or credits that are won, or both.

\* \* \*

(i) EDGs shall have meters which continuously display the following information relating to the current play or monetary transaction:

\* \* \*

(iii). the number of coins paid for a credit cash out or a direct pay from a winning outcome;

\* \* \*

#### o. Hopper

i. If a hopper is utilized on an EGD it shall be designed to detect the following and force the EGD into a tilt condition if one of the following occurs:

- (a). jammed coins;
- (b). extra coins paid out;
- (c). hopper runaways;
- (d). hopper empty conditions.

ii. The EGD control program shall monitor the hopper mechanism, if utilized, for these error conditions in all game states in accordance with this LAC 42:XIII. Chapter 42.

iii. All coins paid from the hopper mechanism, if utilized, shall be accounted for by the EGD including those paid as extra coins during hopper malfunction.

\* \* \*

AUTHORITY NOTE: Promulgated in accordance with R.S. 27:15 and 24.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Gaming Control Board, LR 26:721 (April 2000), amended LR 29:

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*Adopted 10/21/03*

*Effective 11/20/03*

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## **Chapter 21. Applications; Suitability, Permitting and Licensing**

### **§2101. General Provisions (Amend)**

A. The board and/or division shall have the authority to call forth any person who, in the board and/or division's opinion, exercises influence over the Casino Operator, Casino Manager, a Permittee, an Applicant or the gaming industry, and such person shall be subject to all suitability requirements. In the event a person is found unsuitable, then no Casino Operator, Casino Manager, Permittee or Applicant shall have any association or connection with such person. No Casino Operator, Casino Manager, Permittee or Applicant shall have any association or connection with any person that has had an application for a license or permit denied or had a license or permit revoked.

\* \* \*

AUTHORITY NOTE: Promulgated in accordance with R.S. 27:15 and R.S. 27:24

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Gaming Control Board, LR 25:1907 (October 1999), LR

*Instituted 10/15/02*

*Adopted 2/16/03*

*Effective 3/20/03*

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## **Chapter 41. Enforcement Actions**

### **§4103. Enforcement Actions of the Board (Amend)**

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## C. Penalty Schedule

Section Reference	Description	Base Fine	Proscriptive Period (Months)
*	*	*	*
4209	Approval of New Electronic Gaming Devices	5,000	12
*	*	*	*

\* \* \*

Authority Note: Promulgated in accordance with R.S. 27:15 and 24.

Historical Note: Promulgated by the Department of Public Safety and Corrections, Gaming Control Board, LR 25:1974 (October 1999), amended LR 26:2307 (October 2000), LR 27:2255 (October 2001), LR 28:344 (February 2002), amended LR 28:1029 (May 2002), LR

***Instituted 10/15/02***

***Adopted 2/16/03***

***Effective 3/20/03***

## Part XI. Video Poker

### Chapter 24. Video Draw Poker

#### §2403. Definitions

The provisions of the Louisiana Video Draw Poker Devices Control Law relating to the definitions of words, terms, and phrases are hereby incorporated by reference and made a part hereof, and shall apply and govern the interpretation of these regulations, except as otherwise specifically declared or as is clearly apparent from the context of the regulations herein. The following words, terms, and phrases shall have the ascribed meaning indicated below.

\* \* \*

*Applicant* the person who has completed an application to the division for a license or permit to participate in the video gaming industry in Louisiana.

*Application* the process by which a person requests a license or permit, or the renewal of a license or permit, for participation in the video gaming industry in Louisiana.

\* \* \*

*Permittee* for purposes of these Rules, shall have the same meaning as *video draw poker employee* as provided in R.S. 27:301.

\* \* \*

*Warehouse* a secure and limited access structure or room, approved by the division, utilized for

the storage of video gaming devices and/or their components.

\* \* \*

AUTHORITY NOTE: Promulgated in accordance with R.S. 33:4862.1 et seq.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Police, Gaming Enforcement Section, Video Gaming Division, LR 18:196 (February 1992), amended LR 21:582 (June 1995), amended by the Department of Public Safety and Corrections, Gaming Control Board, LR 29:

***Instituted 8/19/03***

***Adopted 1/20/04***

***Effective 2/20/04***

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## **§2405. Application and License**

### **A. Initial and Renewal Applications**

1. All applications for a license shall be submitted on forms provided by the division and mailed to an address provided by the division.

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### **B. Requirements for Licensing**

- 1.a. No person shall be granted a license, and no license shall be renewed unless the applicant demonstrates to the division that he is suitable for licensing, and thereafter continues to maintain suitability, as provided in the act.

- b. All applicants for a license and licensees shall be current in filing all applicable tax returns and in the payment of all taxes, interest and penalties owed to all appropriate local taxing authorities, the state of Louisiana and the Internal Revenue Service, excluding contested amounts pursuant to applicable statutes, and excluding items for which the Department of Revenue and Taxation and the Internal Revenue Service have accepted a payment schedule of back taxes.

\* \* \*

- 4.a. The appropriate annual fee shall be paid by all licensees regardless of the expiration date of the license on or before July 1 of each year.

- b. Proof of current tax filings and payments, including tax clearance certificates from the state and all appropriate local taxing authorities shall be submitted to the division along with the annual fee as provided in Subparagraph B.4.a. no later than July 1 of each year.

5. Repealed.

6. All nonrefundable fees required for application/renewal and any administrative fines or penalties shall be made payable to the Department of Public Safety and Corrections and remitted to an address provided by the division.

7. Repealed.

\* \* \*

## 11. Repealed

\* \* \*

### D. Change of Ownership of Licensed Establishment

1. If a change in ownership of a licensed establishment occurs, the division shall be notified, in writing within five days, of the act of sale or transfer.
2. When a licensed establishment which requires an alcoholic beverage license as a condition of the receipt of a video gaming license is sold or transferred, the devices shall be allowed to continue to operate under the old license if:
  - a. the new owner applies for a state Class "A" general retail or restaurant alcohol permit within 15 days of the act of sale or transfer; and
  - b. upon issuance of a state Class "A" general retail or restaurant alcohol permit, the new owner applies for a video gaming license within 15 days of said issuance.
3. The devices shall only be allowed to continue in operation under the old license until:
  - a. the issuance of a video draw poker license in the name of the new owner;
  - b. a determination by the division that the new applicant is unsuitable;
  - c. denial of the new license application; or
  - d. the passage of 180 days from submission of the application to the division.
4. The new owner shall provide, at the time of application to the division, a certified copy of the act of sale or transfer, a copy of all appropriate documentation which indicates the date the licensed establishment began the Alcohol and Tobacco Control Commission application process, and a copy of the permit issued by the Alcohol and Tobacco Control Commission.
5. If any of the documents required by this Section are not submitted with the new owner's application, the division may immediately disable the devices.
6. If the 180-day period has elapsed prior to the issuance of a new video gaming license, the devices shall be disabled and the device owner shall immediately make arrangements to remove and transfer the devices from the formerly licensed establishment.
7. Upon the issuance of a license to a new owner or the passage of 180 days, whichever occurs first, the license issued to the prior owner shall expire and be surrendered to the division.

AUTHORITY NOTE: Promulgated in accordance with R.S. 27:15 and 24.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Police, Gaming Enforcement Section, Video Gaming Division, LR 18:196 (February 1992), amended LR 21:582 (June 1995), amended by the Department of Public Safety and Corrections, Gaming Control Board, LR 23:1322 (October 1997), LR 24:955 (May 1998), LR 26:346 (February 2000), LR 26:2322 (October 2000), LR 27:61 (January 2001), LR 29:

***Instituted 8/19/03***

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## **§2407. Operation of Video Draw Poker Devices**

### **A. Responsibilities of Licensees**

1. The licensee or a designated representative of the licensed establishment shall be required to be physically present and available within the licensed establishment at all times during all hours of operation; shall ensure that the devices are not tampered with, abused, or altered in any way; and shall prevent the play of video draw poker devices by persons under the age of 21 and prevent access to the gaming area by persons under the age of 18. The penalty for violation of this subsection shall be \$250 for the first offense, \$500 for the second offense, and \$1,000 for the third offense. The penalty for fourth and subsequent offenses shall be administrative action, including, but not limited to, suspension or revocation.

\* \* \*

8. Repealed.

\* \* \*

13. Repealed.

14.a. the signs shall be placed at the entrances to device areas with lettering at least 3 inches in height stating that there are gaming devices inside, no one under 18 allowed in gaming area, and no one under the age of 21 allowed to play gaming devices.

15. - 15.c. Repealed.

\* \* \*

### **B. Video Draw Poker Employees and Permits**

1. The division shall issue a video draw poker employee permit to persons determined to be suitable pursuant to the provisions of the Act and Rules adopted by the Louisiana Gaming Control Board pursuant to the Administrative Procedure Act.

2. All video draw poker employees shall possess a valid video draw poker employee permit in addition to a valid state issued driver's license, identification card or United States military identification card. The penalty for violation of this subsection shall be \$25 for the first offense, \$50 for the second offense, and \$75 for the third offense. The penalty for fourth and subsequent offenses shall be administrative action, including, but not limited to, suspension or revocation of the permit.

3. All video draw poker employee applications must be submitted on forms prescribed by the Louisiana Gaming Control Board.

a. All applications shall be submitted to the division via delivery by the United States Postal Service certified or registered mail, return receipt requested, or a commercial interstate carrier.

b. All applications shall contain a telephone number and permanent address for receipt of correspondence and service of documents by the division.

c. All video draw poker employees shall submit a renewal application to the division at least sixty days prior to expiration of their permit to avoid a lapse in their ability to work as video draw poker employees.

4. All applicants shall provide all additional information requested by the division. If applicants fail to provide all additional information requested by the division, the application shall be denied.
5. All video draw poker employees or applicants shall notify the division in writing of all changes of address, phone numbers, and other required information in the application within 10 calendar days of the effective date of the change.
6. No person shall be granted a permit and no permit will be renewed unless the applicant demonstrates to the division that he is suitable for permitting and thereafter continues to maintain suitability, as provided in the Act.
7. All applicants and video draw poker employees shall attend all hearings, meetings, seminars, and training sessions required by the division. The division shall not be responsible for any cost incurred by the applicants and/or video draw poker employees.
8. Permittees employed as a designated representative shall have the ability to locate all records and documents of the licensed establishment and possess the knowledge of all day to day operations of the licensed establishment.
9. All video draw poker employees shall have knowledge of these Rules and the provisions of the act.

\* \* \*

AUTHORITY NOTE: Promulgated in accordance with R.S. 27:15 and 24.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Police, Gaming Enforcement Section, Video Gaming Division, LR 18:196 (February 1992), amended LR 21:582 (June 1995), amended by the Department of Public Safety and Corrections, Gaming Control Board, LR 25:85 (January 1999), LR 27:205 (February 2001), LR 29:

***Instituted 8/19/03***  
***Adopted 1/20/04***  
***Effective 2/20/04***

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## **§2409. Revenues**

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### **B. Device Operation Fees**

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2. The division shall prorate the device operation fee that is required for each enabled video gaming device on a quarterly basis in accordance with the following schedule of dates of enrollment. For devices enrolled:
  - a. July 1 through September 30, the whole operation fee is due;
  - b. October 1 through December 31, three quarters of the operation fee is due;
  - c. January 1 through March 31, one half of the operation fee is due;

\* \* \*

3. The annual device operation fee may be paid in quarterly installments as prescribed by the act.

\* \* \*

### C. Franchise Payments

\* \* \*

2. All device owners shall establish and maintain a single bank account exclusively for the electronic funds transfer (sweep) of franchise payments to the designated bank of the state treasurer.

a. - c. Repealed.

d. The payments shall be transferred electronically into the designated bank of the state treasurer semi-monthly or as otherwise prescribed by the division. Licensees shall authorize the division to initiate these transfers.

e. The funds shall be electronically transferred (swept) no later than the tenth day after the fifteenth and last day of every month. Any account found with insufficient funds shall constitute a violation of this Section.

f. Electronic funds transfers shall be calculated based upon device polling from the first through the fifteenth, and the sixteenth through the last day of every month.

g. Any delinquent monies not forwarded to the bank designated by the state treasurer by electronic funds transfers at the time of the transfer shall be subject to an interest penalty of 0.000575 per day (21 percent per annum). The interest penalty shall be in addition to any other penalties imposed by the division.

3. A device owner who has a nonsufficient fund return within the past three years shall be required to maintain a minimum balance at all times in the video gaming sweep account, or the account shall at all times be secured by a line of credit or bond issued by a bank or security company acceptable to the state treasurer. For purposes of this Rule the term "bond" shall include cash, cash equivalent instruments or such other instruments as the division determines provide immediate liquidity.

a. The minimum balance and the security shall be equivalent to at least 15 percent of the previous month's net device revenues of all video gaming devices of the device owner.

b. No withdrawals at any time from the device owner's video gaming account, including electronic funds transfers, shall cause the account balance to be less than the minimum balance requirement prescribed above.

4. All licensed device owners shall be liable for that portion of net device revenues from such times as the funds are received into the device until said funds are deposited into the designated bank of the state treasurer.

### D. Supplemental Purses for Horsemen

1. Repealed.

2. Forms provided by the division shall be used to record amounts earned for purse supplements and shall be filed with the division, the Horsemen's Benevolent and Protective Association, and the Louisiana State Racing Commission by the twentieth day of every month.



2.a. - 3.b. Repealed.

4. The division may at all times oversee any and all operations pertaining to video gaming and may review and/or audit any account or fund used for receipt and/or disbursement of any of the aforementioned income.

\* \* \*

AUTHORITY NOTE: Promulgated in accordance with R.S. 33:4862.1 et seq.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Police, Gaming Enforcement Section, Video Gaming Division, LR 18:196 (February 1992), amended LR 21:582 (June 1995), amended by the Department of Public Safety and Corrections, Gaming Control Board, LR 29:

***Instituted 8/19/03***

***Adopted 1/20/04***

***Effective 2/20/04***

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## **§2411. Regulatory, Communication, and Reporting Responsibilities**

### **A. General Provisions**

\* \* \*

12. All licensed manufacturers and distributors shall maintain a current record of devices received, devices sold, and devices in inventory, and if requested, must provide this information to the division.

\* \* \*

14. All licensed manufacturers and distributors shall provide the division with a current list of authorized service entities and other personnel that they have certified. The list, which shall be updated and provided quarterly in a format specified by the division, shall include, but not be limited to, the following information:

\* \* \*

### **D. Licensed Device Owners**

\* \* \*

4. Repealed.

5. Except as otherwise provided in this Section, all licensed device owners shall only purchase or lease video gaming devices from, or sell or lease video gaming devices to, licensed distributors, or other licensed device owners.

6. Repealed.

\* \* \*

### **E. Licensed Establishments**

\* \* \*

3. All licensed establishments that are qualified truck stop facilities shall provide to the division all necessary diesel and gasoline fuel sales data consisting of beginning and ending pump meter readings and summaries of all diesel and gasoline fuel sales, in gallons. Such information shall be given to the division on a monthly basis, on a form supplied by the division.

\* \* \*

5. The division shall evaluate each monthly report to establish the average monthly fuel sales for the quarter in question. This shall determine the number of electronic video draw poker devices that can be legally operated at the truck stop facility during the next quarterly period. The division shall disable or enable devices in accordance with the act.

6. Repealed.

\* \* \*

## G. Required Forms

\* \* \*

3. If applicable, all licensees shall provide the division with all required device-related reports, to include, but not be limited to, the following:

\* \* \*

b. GAMING DEVICE OWNERSHIP TRANSFER NOTIFICATION, which shall be submitted for any change of ownership of any device within five business days of the change of ownership;

\* \* \*

AUTHORITY NOTE: Promulgated in accordance with R.S. 33:4862.1 et seq.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Police, Gaming Enforcement Section, Video Gaming Division, LR 18:196 (February 1992), amended LR 21:582 (June 1995), amended by the Department of Public Safety and Corrections, Gaming Control Board, LR 29:

***Instituted 8/19/03***

***Adopted 1/20/04***

***Effective 2/20/04***

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## §2413. Devices

### A. Device Specifications

1. All devices shall include all of the specifications and features as provided in R.S. 27:302. In addition, all devices shall include the following specifications and features:

\* \* \*

d. accept only United States coins and/or currency.

\* \* \*

i. permanent serial numbers not to exceed nine alpha and/or numeric characters. The serial number plate shall be located in the upper (front) right side panel of the device, unless otherwise approved by the division, and shall contain the following information:

\* \* \*

5. Devices shipped to and transported through Louisiana shall at all times remain in the demonstration mode. In addition, no device operating in demonstration mode shall accept coin or currency.

\* \* \*

#### D. Enrollment Procedures

\* \* \*

3. Validation decals shall be issued by the division for devices and shall be promptly affixed by a division representative to an enrolled device. The validation decal shall be affixed to the upper (front) right side of the device, or as otherwise approved by the division.

\* \* \*

#### H. Devices Permanently Removed from Service

\* \* \*

4. For purposes of this Section, devices permanently removed from service shall mean devices:

- a. that are sold back or otherwise returned, and shipped to the distributor or manufacturer;
- b. that are damaged beyond repair due to theft, vandalism, or natural disasters; or
- c. that are completely dismantled for parts or destroyed and properly discarded as waste.

\* \* \*

#### K. Warehouses

1. Devices stored in a warehouse shall be stored in a manner which easily displays the device serial number plate and/or the state issued permit sticker.

2. Device owners who wish to share warehouse space must execute a written lease agreement outlining the conditions and method of the space sharing. A copy of the lease agreement, along with a diagram indicating the method of device separation, must be sent to the division within five calendar days from the date of execution.

- a. The shared warehouse must be partitioned in such a manner as to visually distinguish each device owner's video gaming devices.

b. Device owners shall not commingle their video gaming devices.

AUTHORITY NOTE: Promulgated in accordance with R.S. 33:4862.1 et seq. and R.S. 27:1 et seq.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Police, Gaming Enforcement Section, Video Gaming Division, LR 18:196 (February 1992), amended LR 21:582 (June 1995), amended by the Department of Public Safety and Corrections, Gaming Control Board, LR 23:1322 (October 1997), amended by the Department of Public Safety, Gaming Control Board, LR 25:85 (January 1999), amended by the Department of Public Safety and Corrections, Gaming Control Board, LR 29:

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***Effective 2/20/04***

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## **§2417. Code of Conduct of Licensees and Permittees**

\* \* \*

### **B. Unsuitable Conduct**

\* \* \*

4. Any person required to be found suitable or approved in connection with the granting of any license or permit shall have a continuing duty to notify the division of his/her/its arrest, summons, citation or charge for any criminal offense or violation including D.W.I.; however, minor traffic violations need not be included. All licenses and permittees shall have a continuing duty to notify the division of any fact, event, occurrence, matter or action that may affect the conduct of gaming or the business and financial arrangements incidental thereto or the ability to conduct the activities for which the licensee or permittee is licensed or permitted. Such notification shall be made within ten calendar days of the arrest, summons, citation, charge, fact, event, occurrence, matter or action.

\* \* \*

### **C. Additional Causes for Disciplinary Action**

1. Further instances of conduct by a licensee or permittee where the division or board may sanction a licensee or permittee shall include but not be limited to when:

\* \* \*

j. unavailability of the licensees or permittees, their designated representatives, or any agents of the licensee.

AUTHORITY NOTE: Promulgated in accordance with R.S. 33:4862.1 et seq., R.S. 27:15 and 24.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Police, Gaming Enforcement Section, Video Gaming Division, LR 18:196 (February 1992), amended LR 21:582 (June 1995), amended by the Department of Public Safety and Corrections, Gaming Control Board, LR 27:59 (January 2001), LR 29:

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***Effective 2/20/04***

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## **§2419. Investigations**

\* \* \*

### **B. Inspections**

\* \* \*

#### **2. Inspection of Records**

\* \* \*

b. The division may require a licensee to submit any and all video gaming records or documents that are necessary for the facilitation and/or completion of an investigation pertaining to a violation of these Rules or the act.

\* \* \*

AUTHORITY NOTE: Promulgated in accordance with R.S. 33:4862.1 et seq.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Police, Gaming Enforcement Section, Video Gaming Division, LR 18:196 (February 1992), amended LR 21:582 (June 1995), amended by the Department of Public Safety and Corrections, Gaming Control Board, LR 29:

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***Adopted 1/20/04***

***Effective 2/20/04***

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## **§2421. Miscellaneous**

### **A. Required Meetings**

1. The division may summon a licensee or permittee to appear for a consultation, explanation, discussion, clarification, training session, or other meeting considered by the division to be of potential benefit, or otherwise aid in the effective regulation of the video gaming industry.

\* \* \*

AUTHORITY NOTE: Promulgated in accordance with R.S. 33:4862.1 et seq.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Police, Gaming Enforcement Section, Video Gaming Division, LR 18:196 (February 1992), amended LR 21:582 (June 1995), amended by the Department of Public Safety and Corrections, Gaming Control Board, LR 29:

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## Chapter 24. Video Draw Poker

### §2405. Application and License (Amend)

#### A. New and Renewal Applications

1. All applications for a license shall be submitted on forms provided by the division and mailed to: Louisiana State Police, Gaming Enforcement Section, Video Gaming Division, at the address provided by the division.

\* \* \*

#### B. Requirements for Licensing

\* \* \*

c. If a licensee fails to file a complete renewal application on or before forty five days prior to the license expiration date, the division may assess a civil penalty of \$250 for the first violation, \$500 for the second violation and \$1000 for the third violation.

4. The appropriate annual fee shall be paid by all licensees regardless of the expiration date of the license on or before July 1 of each year.

5. If a renewal application has not been filed with the division on or before close of business on the date of expiration, the license is expired, and a new application, along with all appropriate fees, shall be required to be filed.

\* \* \*

AUTHORITY NOTE: Promulgated in accordance with R.S. 27:15 and 24.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Police, Gaming Enforcement Section, Video Gaming Division, LR 18:196 (February 1992), amended LR 21:582 (June 1995), amended by the Department of Public Safety and Corrections, Gaming Control Board, LR 23:1322 (October 1997), LR 24:955 (May 1998), LR 26:346 (February 2000), LR 26:2322 (October 2000), LR 27:61 (January 2001), LR

*Instituted 10/15/02*

*Adopted 2/16/03*

*Effective 3/20/03*

## Part XIII. Riverboat Gaming

### Chapter 29. Operating Standards

#### §2953. Promotions

\* \* \*

E. Any promotional program involving a giveaway of prizes or drawing for cash or prizes shall incorporate the following elements.

1. only persons 21 years of age and older shall be eligible to participate;

2. entry forms required in drawings open to the general public shall be displayed in a prominent manner inside the casino;

3. no payment or purchase of anything of value, including chips or tokens from the casino or any other business, shall be required for participation in any giveaway or drawing, nor shall there be a requirement to pay an entry fee.

\*\*\*

AUTHORITY NOTE: Promulgated in accordance with R.S. 27:15 and 24.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Police, Riverboat Gaming Enforcement Division, LR 21:702 (July 1995), amended by the Department of Public Safety and Corrections, Gaming Control Board LR 27:1558 (September 2001), amended LR

***Instituted 7/15/03***

***Adopted 12/16/03***

***Effective 1/20/04***

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### **§2901. Code of Conduct of Licensees and Permittees (Amend)**

\* \* \*

B (4) Any person required to be found suitable or approved in connection with the granting of any license or permit shall have a continuing duty to notify the division of his/her/its arrest, summons, citation or charge for any criminal offense or violation including D.W.I.; however, minor traffic violations need not be included. All licensees and permittees shall have a continuing duty to notify the division of any fact, event, occurrence, matter or action that may affect the conduct of gaming or the business and financial arrangements incidental thereto or the ability to conduct the activities for which the licensee or permittee is licensed or permitted. Such notification shall be made within 15 calendar days of the arrest, summons, citation, charge, fact, event, occurrence, matter or action.

\* \* \*

AUTHORITY NOTE: Promulgated in accordance with R.S. 27:15 and 24.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Police, Riverboat Gaming Enforcement Division, LR 21:702 (July 1995), amended by the Department of Public Safety and Corrections, Gaming Control Board, LR 27:60 (January 2001), amended LR 29:

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***Adopted 10/21/03***

***Effective 11/20/03***

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### **§2915. Age Restrictions for the Casino; Methods to Prevent Minors from Gaming Area (Amend)**

A. No persons under the age of 21 shall:

1. play or be allowed to play any game or gaming device in the designated gaming area;
2. loiter or be permitted to loiter in or about any room, premises, or designated area where any game or gaming device is located;

3. be employed as a gaming employee.

B. Each licensee must implement methods to prevent minors from entering the designated gaming area of the eligible facility. Such methods shall be part of the licensee's system of internal controls and shall include, but shall not be limited to the following:

1. posting signs at all entrances to the gaming area notifying patrons that persons under 21 years of age are not permitted to loiter in or about the gaming area. The signs shall be displayed in English, Spanish, and Vietnamese;
2. posting signs or other approved means displaying the date of birth of a person who is 21 years old that date.

C. Each Licensee shall each quarter report and remit to the division all winnings withheld from customers who are determined to be under the age of 21.

AUTHORITY NOTE: Promulgated in accordance with R.S.4:501 et seq.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Police, Riverboat Gaming Enforcement Division, LR 21:705 (July 1995), amended LR 29:

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*Adopted 10/21/03*  
*Effective 11/20/03*

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## **Chapter 33. Surveillance and Security**

### **§3304. Surveillance Personnel Employment Provisions (Amend)**

\* \* \*

B. Repealed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 27:15 and 24.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Gaming Control Board, LR 27:1559 (September 2001), amended LR 29:

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## **Chapter 42. Electronic Gaming Devices**

### **§4209. Approval of New Electronic Gaming Devices (Amend)**

A. (12) Accounting Meters

\* \* \*

d. The required electronic meters are as follows.



\* \* \*

ii. The coin-out meter shall cumulatively count the number of coins that are paid as a result of a win, or credits that are won, or both.

\* \* \*

f. EGDs shall have meters which continuously display the following information relating to the current play or monetary transaction:

\* \* \*

iii. the number of coins paid for a credit cash out or a direct pay from a winning outcome;

#### (15) Hopper

a. If a hopper is utilized on an EGD it shall be designed to detect the following and force the EGD into a tilt condition if one of the following occurs:

- i. jammed coins;
- ii. extra coins paid out;
- iii. hopper runaways;
- iv. hopper empty conditions.

b. The EGD control program shall monitor the hopper mechanism, if utilized, for these error conditions in all game states in accordance with this LAC 42:XIII.Chapter 42.

c. All coins paid from the hopper mechanism, if utilized, shall be accounted for by the EGD including those paid as extra coins during hopper malfunction.

\* \* \*

AUTHORITY NOTE: promulgated in accordance with R.S. 27:15 and 24.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Gaming Control Board, LR 26:721 (April 2000), amended LR 29:

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## Chapter 17. General Provisions

### §1701. Definitions (Amend)

A. As used in the regulations, the following terms have the meaning described below.:

\* \* \*

Affiliate – any person who directly or indirectly controls, is controlled by, or is under common control of another person.

\* \* \*

Person – any individual, partnership, association, joint stock association, trust, corporation, or other business entity whether incorporated or not.

\* \* \*

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:501 et seq; R.S. 27:15 and 24.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Police, Riverboat Gaming Enforcement Division, LR 19:1176 (September 1993), amended LR 21:702 (July 1995), amended by the Department of Public Safety and Corrections, Gaming Control Board, LR 22:1139 (November 1996), LR 24:344 (February 1998), LR 26:1317 (June 2000), LR

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*Adopted 2/16/03*

*Effective 3/20/03*

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## **Chapter 21. Licensees and Permits**

### **§2101. General Authority of the Division (Amend)**

The board and/or division shall have the authority to call forth any person who, in the board and/or division's opinion, exercises influence over a licensee, permittee, applicant or the gaming industry, and such person shall be subject to all suitability requirements. In the event a person is found unsuitable, then no licensee, permittee, or applicant shall have any association or connection with such person. No licensee, permittee, or applicant shall have any association or connection with any person that has had an application for a license or permit denied or had a license or permit revoked.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:501 et seq; R.S. 27:15 and 24.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Police, Riverboat Gaming Enforcement Division, LR 19:1176 (September 1993), amended LR 21:702 (July 1995), LR

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*Effective 3/20/03*

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## **Chapter 23. Compliance, Inspections and Investigations**

### **§2325. Imposition of Sanctions (Amend)**

\* \* \*

#### **E. Penalty Schedule**

<b>Section Reference</b>	<b>Description</b>	<b>Base Fine</b>	<b>Proscriptive Period (Months)</b>
*	*	*	*
4209	Approval of New Electronic Gaming Devices	5,000	12
*	*	*	*

\* \* \*

Authority Note: Promulgated in accordance with R.S. 27:15 and 26.

Historical Note: Promulgated by the Department of Public Safety and Corrections, Office of State Police, Riverboat Gaming Enforcement Division, LR 21:702 (July 1995), amended by the Gaming Control Board, LR 26:1318 (June 2000), LR 27:2255 (December 2001), LR 28:1029 (May 2002), LR

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***Adopted 2/16/03***

***Effective 3/20/03***

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## **Chapter 33. Surveillance and Security**

### **§3305. Surveillance and Division Room Requirements (Amend)**

A. There shall be, for the exclusive use of division agents and for the use by employees of the riverboat gaming operation, rooms approved by the division for monitoring and recording purposes. The room for the exclusive use of the division shall be designated the division room. The room for the use of the employees of the riverboat gaming operation shall be designated the surveillance room.

AUTHORITY NOTE: Promulgated in accordance with R.S. 4:501 et seq.; R.S. 27:15 and 24.

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Police, Riverboat Gaming Enforcement Division, LR 21:702 (July 1995), amended by the Department of Public Safety and Corrections, Gaming Control Board, LR 27:1559 (September 2001), LR

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